PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, AUGUST 25 19 87

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS Tuesday EVENING August 25 A.D., 19 87, IN Regular SESSION. PRESIDENT Mark E. GiaQuinta IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS VIZ:

BRADBURY P, BURNS P, EISBART P,
GiaQUINTA P, HENRY P, REDD P,
SCHMIDT P, STIER P, TALARICO P,

ABSENT:

COUNCILMAN:, , ,

THE INVOCATION WAS GIVEN BY

THE MINUTES OF THE LAST REGULAR, 19,

, 19,

SPECIAL, 19,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED AND PUBLISHED.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 25th day of August, 1987, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this_____day of _____,19____,

Sandra E. Kennedy

SANDRA E. KENNEDY, CITY CLERK

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

30 July 1987

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated utility easement.

The proposed ordinance is designated as:

BILL NO. G-87-07-15

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of July 1987.

Robert Hutner
Secretary

Division of Community Development & Planning

BILL NUMBER

BRIEF TITLE Utility Easement Vacation

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

Easement runs along St. Joe Road south of its intersection with St. Joe Ctr Road & to the South of Parker Cemetery.

Reason for Project

Existing easement is not necessary to ingress/egress to any property, and does not appear necessary to continued growth of the City.

Discussion (Including relationship to other Council actions)

20 July 1987 - Public Hearing

The petitioner was not present at the hearing. It is noted however that the Water Pollition Control Department initiated this petition. As stated in the staff analysis this easement has been abandoned by the City. A new 18" sewer was constructed, located outside of this easement, on the petitioners property. The petitioner has agreed to grant a new easement for the city sewer, providing the city agree to vacate the existing easement.

There was no one present who wished to speak in favor of or in opposition to the proposed vacation.

July 27, 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Neil Kobi & Sabah Al Saud **City Department** **Other**
Opponents	**Groups or Individuals** **Basis of Opposition**
Staff Recommendation	☒ For ☐ Against **Reason Against**
Board or Commission Recommendation	**By** ☒ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditio (See Details column for conditio
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pa

DETAILS

Of the 7 members present 6 voted in favor of the motion one (1) did not vote.

Motion carried.

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start Date June 19, 1987

Projected Completion or Occupancy Date July 30, 1987

Fact Sheet Prepared by Date July 30, 1987

Patricia Biancaniello

Reviewed by Date August 26, 1987

Gary Barto

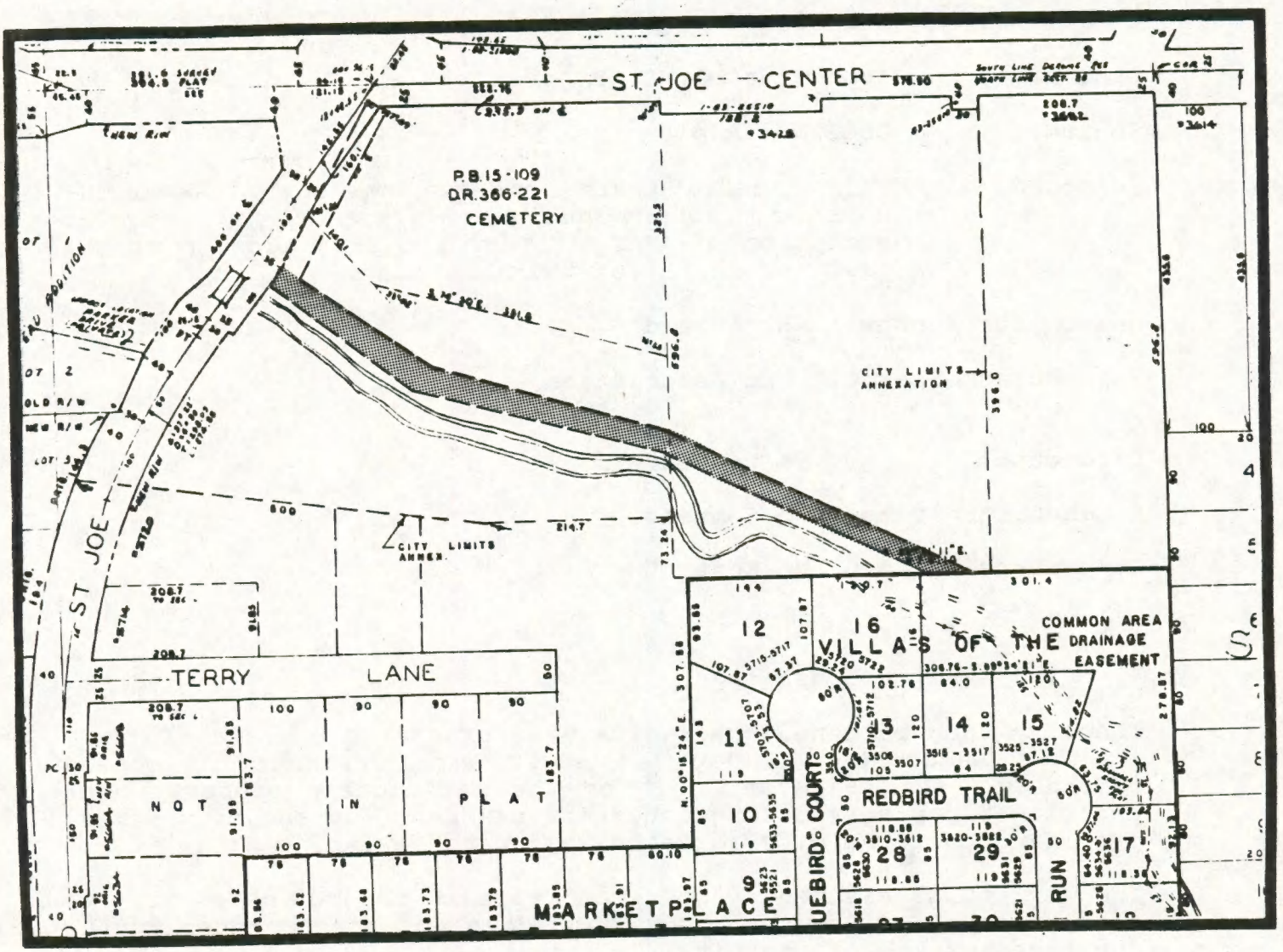
Reference or Case Number

VACATION PETITION #287

A PETITION TO VACATE THE DESCRIBED UTILITY EASEMENT

MAP NO. R-34

COUNCILMANIC DISTRICT NO. 2



ZONING:

LAND USE:

N

SCALE: 1" = 200'

DATE: 6-29-87

Vacation Petition #287

Petitioner requests the vacation of a utility easement.

Location: Along St. Joe Road south of its intersection with St. Joe Center Road.

Legal: See File

Land Area: Approximately 0.25 Acres

Zoning: Does Not Apply

Surroundings: This immediate area has predominately commercial uses and zoning designation, with the singular exception of the cemetery property located to the east (or north) of this easement.

Reason for Request: Not stated

Neighborhood Assoc.: No Association

Landscape: No Comment

Neighborhood Plan: No Comment

Comprehensive Plan: No Comment

Planning Staff Discussion:

The City has abandoned the sanitary sewer system that was located in this easement. A new 18" sewer was constructed, located outside of this easement, but on the petitioners property. The petitioner has agreed to grant a new easement for the city sewer, providing that the city agree to vacate the existing easement.

The existing easement does not appear to be necessary to ingress/egress to any property, and does not appear necessary to continued growth of the City.

Due to the circumstances surrounding this request, we have no objection to the vacation.

Recommendation: Do Pass, subject to the petitioner granting utility easements as needed.

1) Existing easement is not necessary to the continue growth of the city.

2) Approval would not adversely impact any affect property owner.

RESOLUTION
77-145-4

WHEREAS, NEIL KOBI AND SABAH AL SAUD, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easement in Fort Wayne, Allen County, to-wit:

A 14-foot wide strip in Section 20, Township 31 North, Range 13 East, in Allen County, Indiana, with a centerline described as follows:

Commencing at the Southwest corner of Northeast Quarter of Northwest Quarter of the Northwest Quarter of Section 20, Township 31 North, Range 13 East; thence North and along North-South centerline of Northwest Quarter of the Northwest Quarter a distance of 80.1 feet to a point, said point being the Place of Beginning of this described easement; thence North 56 degrees 30 minutes West, a distance of 261.5 feet to a point; thence North 54 degrees 15 minutes West, a distance of 291.7 feet to a point; said point is being the Place of Ending of this described easement.

ALSO: A 14-foot wide utility easement in the Northwest Quarter of the Northwest Quarter of Section 20, Township 31 North, Range 13 East, Allen County, Indiana with a centerline described as follows:

Beginning at a point 71.55 feet North and 3.5 feet East of an iron post at the Southwest corner of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter of said Section 20; thence South 66 degrees 13 minutes East, 252.0 feet to a point; thence South 43 degrees 03 minutes East 19.25 feet to the Place of Ending on the East-West centerline of the Northwest Quarter of the Northwest Quarter of said Section 20.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of a dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Pubilc Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated utility easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Barrod R. Bridenweg, Director of the

Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held August 5 1987 and as same appears of record in the official records of the Board of Public Works

DATED THIS 5th DAY OF August 1987

FORT WAYNE BOARD OF PUBLIC WORKS

Baron R. Biedenweg
Director of Public Works

Cosette R. Simon
Director of Administration & Finance

Lawrence D. Consalvos
Director of Public Safety

RESOLUTION

WHEREAS, NEIL KOBI AND SABAH AL SAUD, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following dedicated utility easement in Fort Wayne, Allen County, to-wit:

A 14-foot wide strip in Section 20, Township 31 North, Range 13 East, in Allen County, Indiana, with a centerline described as follows:

Commencing at the Southwest corner of Northeast Quarter of Northwest Quarter of the Northwest Quarter of Section 20, Township 31 North, Range 13 East; thence North and along North-South centerline of Northwest Quarter of the Northwest Quarter a distance of 80.1 feet to a point, said point being the Place of Beginning of this described easement; thence North 56 degrees 30 minutes West, a distance of 261.5 feet to a point; thence North 54 degrees 15 minutes West, a distance of 291.7 feet to a point; said point is being the Place of Ending of this described easement.

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Beginning at a point 71.55 feet North and 3.5 feet East of an iron post at the Southwest corner of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter of said Section 20; thence South 66 degrees 13 minutes East, 252.0 feet to a point; thence South 43 degrees 03 minutes East 19.25 feet to the Place of Ending on the East-West centerline of the Northwest Quarter of the Northwest Quarter of said Section 20.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said public hearing was held on July 20,1987, at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated utility easement.

WHEREAS, said vacation a dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated utility easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated utility easement in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held July 27, 1987, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 27 DAY OF July 1987

FORT WAYNE CITY PLAN COMMISSION

Robert Hutner, Secretary

The City of Fort Wayne

LAND USE MANAGEMENT
Division of Community Development & Planning

18 August 1987

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-87-01-22

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
18th day of August 1987.

Robert Hutner
Secretary

Division of Community Development & Planning

BILL NUMBER --

BRIEF TITLE Zoning Ordinance Amendment From B-1-B to B-3-B

APPROVAL DEADLINE

REASON

DETAILS

Specific Location and/or Address

3730 and 3732 New Haven Avenue

Reason for Project

Auto Repair

Discussion (Including relationship to other Council actions)

26 January 1987 - Public Hearing

See Attached for Minutes of Meeting

2 February 1987 - Business Meeting

Motion was made to return the ordinance to the Common Council with a DO PASS recommendation subject to the following conditions:

A 6 foot high landscape buffer be planted along the south property line. Said landscape buffer should be approved by the CD&P landscape architect, and that the private restrictive covenant entered into between the petitioner and the neighborhood association must be approved as to form and legality by the Commission's staff.

Motion carried.

NOTE: The covenant has been approved and recorded.

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	**City Wide** **Other Areas**
Applicants/ Proponents	**Applicant(s)** Mildred Sitcler/ Mrs. John Bercot **City Department** **Other**
Opponents	**Groups or Individuals** Betty Stotler w/Harvester Community Association **Basis of Opposition** -body shop would cause eye-sore in area -would generate noise & other forms of pollution
Staff Recommendation	☒ For ☐ Against **Reason Against**
Board or Commission Recommendation	**By** ☒ For ☐ Against ☐ No Action Taken ☐ For with revisions to conditio (See Details column for conditio
CITY COUNCIL ACTIONS (For Council use only)	☐ Pass ☐ Other ☐ Pass (as amended) ☐ Hold ☐ Council Sub. ☐ Do not pa

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	☐ No ☐ Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start — Date 12 December 1986

Projected Completion or Occupancy — Date 18 August 1987

Fact Sheet Prepared by — Date 18 August 1987
Patricia Biancaniello

Reviewed by — Date
Gary Bruto — August 26, 1987

Reference or Case Number

James Winzeler, appeared as an agent for the property owners and the prospective purchaser. Mr. Winzeler stated that they were asking for the rezoning in order to construct an automotive repair garage. He stated that they felt it would be a credit to the area. He stated that they would be removing the present structure, which is an eyesore, and constructing a new 40' x 60' structure. He stated that they are willing to do what the Commission requires them to do in order to rezone and construct on this property.

Edith Kenna felt that the request for a B-3-B zoning just across the alley from all R-1 zoning seemed odd. Mrs. Kenna questioned where their street access was presently.

Mr. Winzeler stated that it is on New Haven and they are proposing to have the entrance and exit on Redwood. He stated that they would close off the two accesses on New Haven Avenue.

Edith Kenna questioned why there was no routing information on the staff analysis with regard to engineering comments.

Wayne O'Brien explained that a change of zone does not require any type of development plan or commercial routing because it is not a planned designation.

Edith Kenna asked then who would decide the access cuts on the property.

Mr. O'Brien stated it would Traffic Engineering.

Herman Friedrich questioned if they had discussed this with the Neighborhood Association.

Mr. Winzeler stated not the Association, but they have discussed it with several businesses in the area and they would welcome them.

Jack O'Neal, 5740 Northcrest Drive appeared before the Commission. Mr. O'Neal stated that he had been a customer of Raymond's for approximately 6 or 7 years and he has found him to be very professional, very neat and orderly in the way he runs his shop, very responsible and deals with total integrity. He stated that he would welcome him in their neighborhood.

Janet Bradbury questioned if Mr. O'Neal was a business neighbor and not a residential neighbor.

Mr. O'Neal stated that he was a business neighbor one block to the east across the street from the proposed business.

Janet Bradbury questioned if he were a residential neighbor if he could honestly say he would like to have this auto garage as a neighbor.

Mr. O'Neal stated absolutely. He stated the proposed owners are a fine family, fine people. He stated the property now is an abandoned, dilapidated eyesore.

Steve Smith stated that he would like the record to show that they had received a petition in opposition with about 30 signatures of homeowners in the area.

Betty Stotler, representing the Harvester Community Association appeared before the Commission. Ms. Stotler stated that the petitioner is correct in saying that the property is in ruin. She stated that several of the neighbors do object to a body shop. She stated that they are concerned about the noise, traffic, paint fumes, if work will be done inside, what kind of storage will be provided, how many cars will be stored outside. She stated they are concerned that a body shop will become another eyesore. She stated that they already have 4 body shops on New Haven Avenue. She stated that she would like the answers to their concerns in writing so that they can present them to the people who were unable to attend.

Robert Hutner stated that he felt the area had some legitimate concerns. He questioned if the Association had met with the petitioner. He questioned if she did not feel that this would be a good idea for them to meet and get the answers to their questions.

Mrs. Stotler stated yes.

Steve Smith stated that Mr. Hutner made a good point and suggested that between now and the business meeting if the petitioner and the Association representative(s) meet to see if they can work out some of these concerns. He stated they would ask at the business meeting what they had discussed and if they were able to work out their concerns.

Mrs. Stotler stated of the 50 names on the petition she submitted 4 of those people were in favor of the body shop.

Edith Kenna stated that she felt the staff recommendation was a bit odd in light of all the other B-3-B uses that could be allowed on the property if rezoned. She stated that this looks more like a possible Use Variance than a rezoning.

In rebuttal Mr. Winzeler stated that he felt the area residents

would be pleasantly surprised if they would see the operation that the petitioner operates. He stated right now the petitioner operates in a residential area under the "grandfather clause". He stated that it is a very orderly, clean business and he has no problems with his neighbors. He stated that the only problem is that the building is small and he cannot expand. He stated that there will no painting done on the property. He stated that the repair of vehicles is done inside the building. He stated there will be no unsightly parts left outside.

Jess Yoder questioned where the petitioner is presently located.

Mr. Winzeler stated 4804 Wayne Trace Avenue.

Jess Yoder questioned if Mr. Winzeler had seen the comments from staff relating to a 6 foot high landscape buffer.

Mr. Winzeler stated that they have and they would be happy to put that landscape buffer in.

Herman Friedrich stated that he felt the petitioner or agent should go to the Association and talk to them about their proposed plans.

Mr. Winzeler stated he would be happy to talk with the association. Mr. Winzeler showed the Commission a schematic drawing of their plans for the property.

There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning.

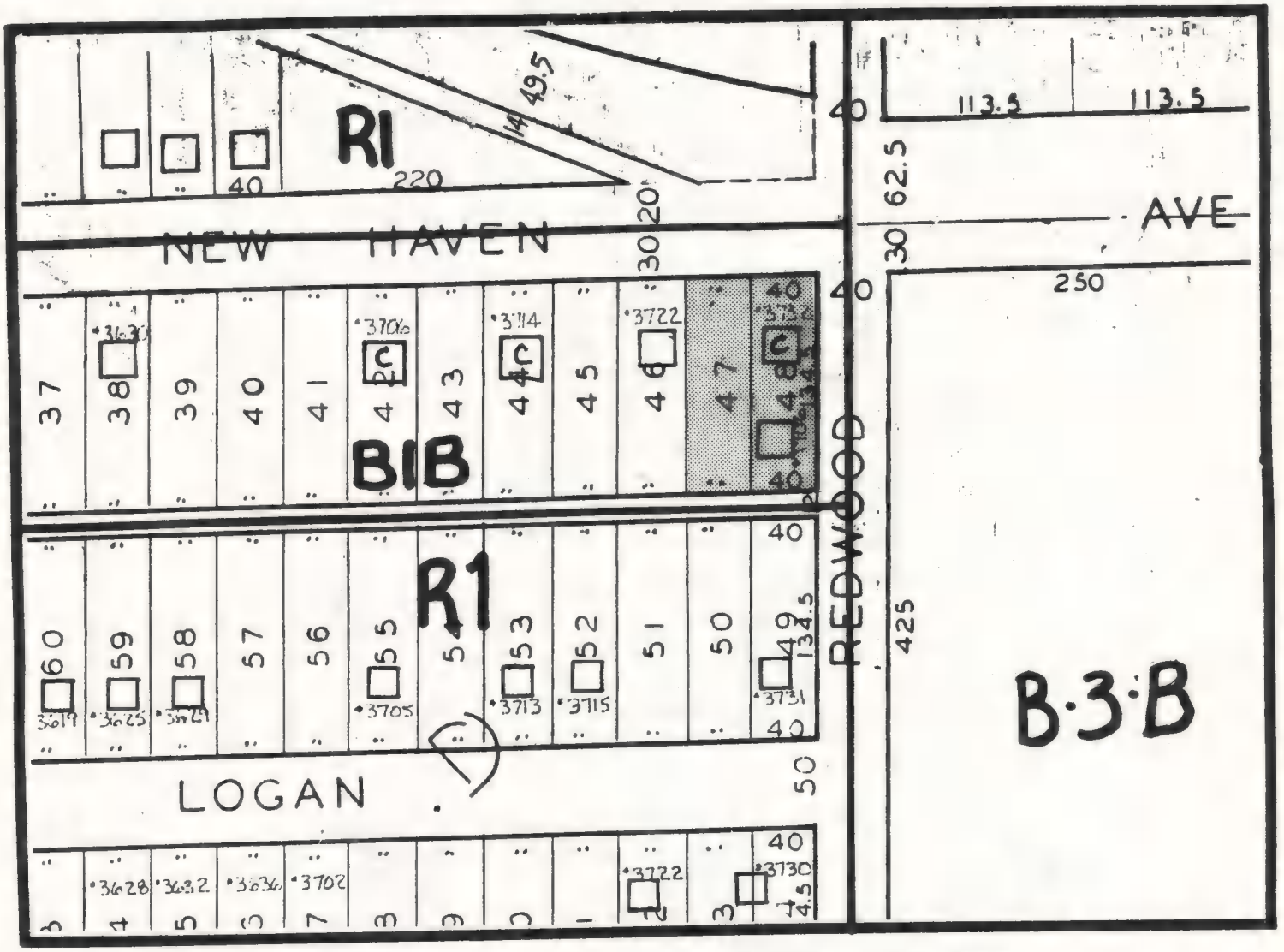
ADJOURNMENT:

REZONING PETITION #243

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A B-1-B TO A B-3-B DISTRICT.

MAP NO. R-3

COUNCILMANIC DISTRICT NO. 1



ZONING:

B1B LIMITED BUSINESS
B3B GENERAL BUSINESS 'B'
R1 RESIDENTIAL DISTRICT

LAND USE:

□ SINGLE FAMILY
C COMMERCIAL

N

SCALE: 1"=100'

DATE: 1-13-87

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 27, 1987 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-87-01-22; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on Januar 26, 1987.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resoluton adopted at the meeting of the Fort Wayne City Plan Commission held February 2, 1987

Certified and signed this
18th day of August 1987.

Robert Hutner
Secretary

Change of Zone # 243

James Winzeler, agent for Mildred Louise Sitcler, and Mrs. John Bercot, request a change of zone from B-1-B to B-3-B.

Location: 3730 & 3732 New Haven Ave.

Legal: Lots 47 & 48 Eastwood Add.

Zoning: B-1-B

Land Area: Approximately 0.247 Acres

Surroundings:

North	R-1	Residential
South	R-1	Residential
East	B-3-B	Commercial
West	B-1-B	Commercial

Reason for Request: Auto Repair

Neighborhood Plan: No Comment

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses, and not establish an undesirable precedent in the area to be developed. The three main goals in the Central Area, where this request is located, are:

1) to maintain existing development;
2) to halt deterioration, and;
3) to encourage re-investment.

Planning Staff Discussion:

This petition is for a re-classification of property to be eventually used for an automobile repair garage. The existing structure would be demolished and a new building erected.

The immediate area to the east has the requested commercial designation on both sides of the street. To the west there are both a 'brake & tire' store and a tavern (more intense B-1-B uses). Redwood Ave. has served as a logical break point between classifications, with the more intense designations to the east, closer to Coliseum Blvd.

While we would normally have serious doubts regarding the merits of this petition, we feel that there are extenuating circumstances that need to be reviewed in order to arrive at a fair recommendation.

The petitioned property is located on the existing boundary

of classifications. Commercial properties in the area have been developed to some of the more intense B-1-B classifications, to serve the area residents and to pick up some business due to the proximity of Coliseum Blvd. The residential area to the south has seen some deterioration, and associated attempts at improvement.

We feel that approval would allow the removal of substandard buildings, and the construction of a new facility that could facilitate improvements in the area.

Recommendation: Do Pass with the condition that a 6 foot high landscape buffer be planted along the south property line. Said landscape buffer should be approved by the CD&P Landscape Architect, and that the private restrictive covenant entered into between the petitioner and the neighborhood association must be approved as to form and legality by the Commissions staff.

Reasons:

1) Approval would be in the best interest of maintaining property values.

2) Approval would have very little impact on the areas residential properties.

3) Current conditions indicate that approval may be in the keeping with existing character of uses.

MARK GIAQUINTA
President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers: 113/87/E
114/87/D

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Cosette R. Simon, Acting Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 113/87/E 114/87/D)

I hereby certify that I did this 10th day of August, 19 87 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 113/87/E 114/87/D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 113/87/E

(Adopted August 7, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 5, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 7, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

North Highlands Blvd. -- stop -- for Cherokee Road

REGULATORY RESOLUTION NO. 114/87/D

(Adopted August 7, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to DELETE: PREFERENTIAL INTERSECTION (DELEGATED); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 5, 1987, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective August 7, 1987, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

PREFERENTIAL INTERSECTION (DELEGATED)

Cherokee Road -- preferential -- at North Highlands Blvd.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

115/87/D	121/87/E
116/87/E	122/87/E
117/87/E	123/87/E
118/87/E	124/87/E
119/87/E	
120/87/E	

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Cosette R. Simon

Cosette R. Simon Acting Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 115/87/D, 116/87/E, 117/87/E, 118/87/E, 119/87/E, 120/87/E, 121/87/E, 122/87/E, 123/87/E, 124/87/E)

I hereby certify that I did this 17th day of August, 19 87 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. see above of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.

ACTING CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 115/87/D

(Adopted August 11, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to PREFERENTIAL INTERSECTION (DELEGATED); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 10, 1987, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective August 11, 1987, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

PREFERENTIAL INTERSECTION (DELEGATED)

Lemar Drive -- preferential -- at Dellview Drive

REGULATORY RESOLUTION NO. 116/87/E

(Adopted August 11, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to DELETE: STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 10, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 11, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

STOP INTERSECTION (EMERGENCY)

Lemar Drive -- stop -- for Dellview Drive

REGULATORY RESOLUTION NO. 117/87/E

(Adopted August 11, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 78/87/E: STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 10, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 11, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Bisque Court -- stop -- for Valdosta Drive

Weymouth Court -- stop -- for Valdosta Drive

REGULATORY RESOLUTION NO. 118/87/E

(Adopted August 14, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 79/87/E: NO PARKING (EMERGENCY): AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 14, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 14, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Pemberton Drive -- both sides -- from Forest Avenue to 180' south thereof

REGULATORY RESOLUTION NO. 119/87/E

(Adopted August 14, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 80/87/E: TRAFFIC SIGNAL (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 14, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 14, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

TRAFFIC SIGNAL (EMERGENCY)

Coldwater Road and Collins Road

REGULATORY RESOLUTION NO. 120/87/E

(Adopted August 14, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 81/87/E: DELETE: STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 14, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 14, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

STOP INTERSECTION (EMERGENCY)

Collins Road -- stop -- for Coldwater Road

REGULATORY RESOLUTION NO. 121/87/E

(Adopted August 14, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 121/87/E: STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 14, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 14, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Congress Avenue -- stop -- for Monroe Street

REGULATORY RESOLUTION NO. 122/87/E

(Adopted August 17, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 84/87/E: IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 17, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 17, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

1608 Howell Street -- north side -- from 315' west of Osage Street to 20' west thereof

REGULATORY RESOLUTION NO. 123/87/E

(Adopted August 17, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 87/87/E: NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 21, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 17, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

St. Mary's Avenue -- east side -- from Clayton Avenue to Florence Avenue

St. Mary's Avenue -- west side -- from Clayton Avenue to Florence Avenue

REGULATORY RESOLUTION NO. 124/87/E

(Adopted August 17, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to DELETE: IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 17, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 17, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE

IMPAIRED MOBILITY PARKING (RESIDENTIAL)	(EMERGENCY)
2101 Alabama Avenue -- west side	-- from 30' north of Forest Avenue to 20' north thereof

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

125/87/E
126/87/D
127/87/E
128/87/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,

Rosetta R. Gilliam

Acting Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 125/87/E, 126/87/D, 127/87/E, 128/87/E)

I hereby certify that I did this 24th day of August, 1987 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 125/87/E, 126/87/D, 127/87/E & 128/87/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.

Acting CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 125/87/E

(Adopted August 19, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to STOP INTERSECTION (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 18, 1987, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 19, 1987, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Fruehauf Drive -- stop -- for Manford Street

REGULATORY RESOLUTION NO. 126/87/D

(Adopted August 19, 1987)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 17-31 of said chapter delegates to this Board authority to DELETE: PREFERENTIAL INTERSECTION (DELEGATED); and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 18, 1987, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 17-31 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective August 19, 1987, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

PREFERENTIAL INTERSECTION (DELEGATED)

Manford Street -- preferential -- at Fruehauf Drive

REGULATORY RESOLUTION NO. 127/87/E

(Adopted August 25, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 88/87/E: DELETE:

NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 24, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 25, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

NO PARKING (EMERGENCY)

Berry Street -- north side -- from Van Buren Street to 100' east of Jackson Street

REGULATORY RESOLUTION NO. 128/87/E

(Adopted August 25, 19 87)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 128/87/E: DELETE:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 24, 19 87, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective August 25, 19 87, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

1604 Andrew Street -- east side -- from 30' north of Spring Street to 20' north thereof

4331 Queen Street -- east side -- from 65' north of Werling Drive to 20' north thereof